

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

Valuation of Security

Assumption of Executory Contract or Unexpired Lease

Lien Avoidance

Last revised: August 1, 2020

**UNITED STATES BANKRUPTCY COURT
District of New Jersey**

In Re: Claudette A. Brooks

Case No.:

19-14637

Judge:

VFP

Debtor(s)

CHAPTER 13 PLAN AND MOTIONS

Original
 Motions Included

Modified/Notice Required
 Modified/No Notice Required

Date:

June 3, 2021

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE.

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

DOES DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

DOES DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

DOES DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Part 1: Payment and Length of Plan

a. The debtor paid \$62,451.45 to the trustee through May 2021, then shall pay \$2,218.66 monthly to the Chapter 13 Trustee starting on June 1, 2021 for approximately 58 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

Future Earnings
 Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

Sale of real property
 Description: _____
 Proposed date for completion: _____

Refinance of real property:
 Description: _____
 Proposed date for completion: _____

Loan modification with respect to mortgage encumbering property:
 Description: _____
 Proposed date for completion: _____

d. The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

NONE

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Russell L. Low 4745	Attorney Fees	2,250.00

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:

Check one:

None

The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
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Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: **NONE**

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Bank of America	1140 Summit Ave Teaneck, NJ 07666 Bergen County	5,307.11	0.00	5,307.11	2,015.57
MR. COOPER	681 Linden Ave Teaneck, NJ 07666 Bergen County	3,364.40	0.00	3,364.40	2,589.08
SPECIALIZED LOAN SERVICING/SLS	440-442 North Street Teaneck, NJ 07666 Bergen County	158,439.25	0.00	158,439.25	2,949.27

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: **NONE**

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

c. Secured claims excluded from 11 U.S.C. 506: **NONE**

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments **NONE**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this section ALSO REQUIRES
the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid
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-NONE-							
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2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C. 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
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f. Secured Claims Unaffected by the Plan NONE

The following secured claims are unaffected by the Plan:

Creditor

Creditor	Collateral	Total Amount to be Paid through the Plan
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Part 5: Unsecured Claims NONE

a. **Not separately classified** allowed non-priority unsecured claims shall be paid:

- Not less than \$ _____ to be distributed *pro rata*
- Not less than 100 percent
- Pro Rata* distribution from any remaining funds

b. **Separately classified unsecured** claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
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Part 6: Executory Contracts and Unexpired Leases NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment
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Part 7: Motions NONE

NOTE: All plans containing motions must be served on all affected lienholders, together with local

form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens under 11 U.S.C. Section 522(f). NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
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b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified
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c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
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Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- Upon Confirmation
- Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee Commissions
- 2) Other Administrative Claims
- 3) Secured Claims
- 4) Lease Arrearages
- 5) Priority Claims
- 6) General Unsecured Claims

d. Post-Petition Claims

The Standing Trustee is, is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification **NONE**

NOTE: Modification of a plan does not require that a separate motion be filed. A modified plan must be served in accordance with D.N.J. LBR 3015-2.

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: March 20, 2019.

Explain below why the plan is being modified:	Explain below how the plan is being modified:
The plan is being modified because the debtor's income has been impacted by the COVID-19 pandemic.	The plan is being modified to pay the post-petition mortgage arrears through the plan for North St. property. This modified plan proposes \$62,451.45 paid to date through May 2021, then \$2,218.66 monthly starting June 2021 for 58 months extending the plan to 84 months total.

Are Schedules I and J being filed simultaneously with this Modified Plan? Yes No

Part 10 : Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

NONE

Explain here:

*This plan is a step plan or has lumpsum payments as follows: \$62,451.45 paid through May 2021 then \$2,218.66 per month for 58 months

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to *Local Form, Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: June 3, 2021

/s/ Claudette A. Brooks

Claudette A. Brooks

Debtor

Date: _____

Joint Debtor

Date June 3, 2021

/s/ Russell L. Low

Russell L. Low 4745

Attorney for the Debtor(s)

United States Bankruptcy Court
District of New Jersey

In re:
Claudette Brooks
Debtor

Case No. 19-14637-VFP
Chapter 13

District/off: 0312-2

User: admin

Page 1 of 2

Date Rcvd: Jun 04, 2021

Form ID: pdf901

Total Noticed: 25

The following symbols are used throughout this certificate:

Symbol

Definition

+ Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

CERTIFICATE OF NOTICE

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 06, 2021:

Recip ID	Recipient Name and Address
db	+ Claudette Brooks, 442 North Street, Teaneck, NJ 07666-2351
cr	+ Specialized Loan Servicing LLC, P.O. Box 340514, Tampa, FL 33694-0514
cr	+ WELLS FARGO BANK, 10700 Abbott's Bridge Road, Suite 170, 10700 Abbott's Bridge Road, Suite 170, Duluth, GA 30097-8461
518068842	American Express, PO Box 650448, Dallas, TX 75265-0448
518251015	BANK OF AMERICA, N.A., PO Box 31785, Tampa, FL 33631-3785
518132552	+ Bank of America, PO Box 5170, Simi Valley, CA 93062-5170
518068843	+ HSBC Bank, Specialized Loan Services LLC, 8742 Lucent Blvd., Ste. 300, Highlands Ranch, CO 80129-2386
519144516	+ HSBC Bank USA, N.A. Trustee (See 410), c/o Specialized Loan Servicing LLC, 6200 S. Quebec St., Greenwood Village, Colorado 80111-4720
518247116	+ HSBC Bank USA, N.A. Trustee (See 410), c/o Specialized Loan Servicing LLC, 8742 Lucent Blvd, Suite 300, Highlands Ranch, Colorado 80129-2386
518132553	+ Mr. Cooper, attn: Bankruptcy, 8950 Cypress Waters Blvd, Coppell, TX 75019-4620
518068840	Neimen Marcus, PO Box 5235, Carols Stream, IL 60197-5235
518102895	+ Piedmont Rockdale Hospital, Resurgent Capital Services, PO Box 1927, Greenville, SC 29602-1927
518132555	Shapiro & DeNardo, LLP, 1400 Commerce Pkwy, Ste B, Mount Laurel, NJ 08054
518132554	+ Specialized Loan Services/ SLS, 6200 S. Quebec Street, Greenwood Village, CO 80111-4720
518177938	+ WELLS FARGO BANK, RAS Crane, LLC, Authorized Agent for Secured Creditor, 10700 Abbott's Bridge Road, Suite 170, Duluth, GA 30097-8461
518203345	+ WELLS FARGO BANK, NATIONAL ASSOCIATION, Nationstar Mortgage LLC d/b/a Mr. Cooper, ATTN: Bankruptcy Dept, PO Box 619096, Dallas TX 75261-9096

TOTAL: 16

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	Email/Text: usanj.njbankr@usdoj.gov	Jun 04 2021 21:15:00	U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
smg	+ Email/Text: ustpregion03.ne.ecf@usdoj.gov	Jun 04 2021 21:15:00	United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
cr	+ Email/PDF: acg.acg.ebn@americaninfosource.com	Jun 04 2021 21:10:58	BMW Financial Services, AIS Portfolio Services LP, 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901
518132556	+ Email/Text: BANKRUPTCY@ASSETACCEPTANCE.COM	Jun 04 2021 21:15:00	Asset Acceptance, LLC, PO Box 2036, Warren, MI 48090-2036
518145190	Email/PDF: ais.bmw.ebn@americaninfosource.com	Jun 04 2021 21:11:05	BMW Financial Services NA, LLC, P.O. Box 3608, Dublin, OH 43016
518099015	+ Email/PDF: acg.acg.ebn@americaninfosource.com	Jun 04 2021 21:10:58	BMW Financial Services NA, LLC, AIS Portfolio Services, LP, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
518068841	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Jun 04 2021 21:11:55	Capital One, PO Box 71083, Charlotte, NC 28272-1083
518068839	+ Email/Text: bnc@nordstrom.com	Jun 04 2021 21:14:31	Nordstrom, PO Box 79139, Phoenix, AZ 85062-9139

District/off: 0312-2

Date Recd: Jun 04, 2021

518068838

User: admin

Form ID: pdf901

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Total Noticed: 25

Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM

Jun 04 2021 21:15:00

Victoria Secret, Comenity Bank, PO Box 182273, Columbus, OH 43218-2273

TOTAL: 9

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 06, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 3, 2021 at the address(es) listed below:

Name	Email Address
Denise E. Carlon	on behalf of Creditor HSBC Bank USA, National Association, as Trustee for Deutsche ALT-B Securities Mortgage Loan Trust, Series 2007-AB1 Mortgage Pass-Through Certificates dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com
Douglas J. McDonough	on behalf of Creditor BANK OF AMERICA N.A. DMcDonough@flwlaw.com
Elizabeth L. Wassall	on behalf of Creditor Wells Fargo Bank National Association, as Trustee for Banc of America Alternative Loan Trust 2006-8 Mortgage Pass Through Certificates, Series 2006-8 ewassall@logs.com, njbankruptcynotifications@logs.com;logsecf@logs.com
Gavin Stewart	on behalf of Creditor Specialized Loan Servicing LLC bk@stewartlegalgroup.com
Kevin Gordon McDonald	on behalf of Creditor HSBC Bank USA, National Association, as Trustee for Deutsche ALT-B Securities Mortgage Loan Trust, Series 2007-AB1 Mortgage Pass-Through Certificates kmcdonald@kmllawgroup.com, bkgroup@kmllawgroup.com
Laura M. Egeman	on behalf of Creditor WELLS FARGO BANK bkyecf@rasflaw.com bkyecf@rasflaw.com;legerman@rasnj.com
Marie-Ann Greenberg	magecf@magtrustee.com
Russell L. Low	on behalf of Debtor Claudette Brooks ecf@lowbankruptcy.com ecf@lowbankruptcy.com;r57808@notify.bestcase.com
Shauna M Deluca	on behalf of Creditor Wells Fargo Bank National Association, as Trustee for Banc of America Alternative Loan Trust 2006-8 Mortgage Pass Through Certificates, Series 2006-8 sdeluca@raslg.com
U.S. Trustee	USTPRRegion03.NE.ECF@usdoj.gov

TOTAL: 10